

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

CHAUNCEY DEPREE WADE,	)	
	)	Civil Action No. 7:21cv00560
Plaintiff,	)	
	)	
v.	)	<b><u>MEMORANDUM OPINION</u></b>
	)	
DR. MCDONALD, <i>et al.</i> ,	)	By: Hon. Thomas T. Cullen
	)	United States District Judge
Defendants.	)	

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Plaintiff Chauncey Depree Wade, proceeding *pro se*, filed this civil action under 42 U.S.C. § 1983. By conditional filing order entered October 29, 2021, the court advised Wade that he must notify the court in writing immediately upon his transfer or release and must provide the court with his new address. (*See* ECF No. 3.) The court further advised Wade that failure to provide an updated address would result in dismissal of this action. (*Id.*)

On January 19, 2023 and March 16, 2023, a notice and an order mailed to Wade were returned to the court as undeliverable and with no forwarding addresses. (*See* ECF Nos. 45 & 47.) To date, Wade has not provided the court with an updated address. Accordingly, the court will dismiss this action without prejudice for failure to comply with the court's order. The court notes that this dismissal is without prejudice to Wade's opportunity to refile his claims in a separate civil action, subject to the applicable statute of limitations.

The Clerk is directed to forward a copy of this Order to counsel for the defendants and to Wade at his last known address.

**ENTERED** this 6th day of April, 2023.

/s/ Thomas T. Cullen  
HON. THOMAS T. CULLEN  
UNITED STATES DISTRICT JUDGE